

**STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION**

**COMMONWEALTH EDISON
COMPANY**

**APPROVAL OF ITS ENERGY
EFFICIENCY AND DEMAND
RESPONSE PLAN PURSUANT TO
SECTION 12-103(F) OF THE
PUBLIC UTILITIES ACT**

DOCKET No. 07-0540

**PREHEARING MEMO
OF
CONSUMERPOWERLINE**

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DATED: JANUARY 2, 2008

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TO ADMINISTRATIVE LAW JUDGE CLAUDIA SAINOT:

AND NOW COMES **Scott H. DeBroff, Esquire** and **Stephen J. Romeo, Esquire** of Smigel, Anderson, & Sacks LLP, on behalf of their client, **ConsumerPowerline (“CPLN”)**, and respectfully submits the following Prehearing Memorandum in the above-captioned Energy Efficiency and Demand Response rulemaking.

ConsumerPowerline (“CPLN”) is one of the nation’s leading demand side management providers, with significant experience providing demand response, energy efficiency, and distributed generation services in New York, New England, California, the Mid-Atlantic, and

increasingly in other regions. CPLN maintains direct alignment with our clients' incentives – we earn revenues only when we achieve energy savings for our clients: large and small end-users of all types.

The Prehearing Conference will be held on Thursday, January 3, 2008 at 1:00 p.m. at the offices of the Commission, in Chicago, Illinois, in an available hearing room in the Michael Bilandic Building, 160 North LaSalle, Suite C-800. ConsumerPowerline will be represented by Scott H. DeBroff, Esquire in this proceeding. All correspondence regarding this case should be directed to Mr. DeBroff and Mr. Romeo as follows:

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I. INTRODUCTION

On November 5, 2007, COMMONWEALTH EDISON COMPANY, filed a Petition before the Illinois Commerce Commission requesting approval of its Energy Efficiency and Demand-Response plan pursuant to 220 ILCS 5/12-103(f) of the Public Utilities Act. Intervening parties filed their responsive testimony to the utility plans and the Company filed their rebuttal to the party testimony in return.

II. HEARING AND BRIEFING SCHEDULE

A substantial Hearing and Briefing Schedule has been established by the ALJ in this docket and CPLN will cooperate with other parties in the event of changes or modifications to this procedural schedule.

III. ISSUES

The following list represents CPLN's present determination of the potential major issues in this case. The listing is as complete as can be made by CPLN at this time. CPLN specifically reserves the right to address other issues as it deems appropriate when any such relevant issues arise. Our present list of potential issues is as follows:

- Discussion of the overall efficiency standards goals required of each utility for each successive year.
- Discussion of the Demand Response components of the utility plans for both Residential and Commercial deployments.
- Discussion of the ability for the utility to consider inclusion of the demand response programs created and supported by third party Curtailment Service Providers (CSP) and their ability to support the efforts of the utility in reducing the usage of electricity and fostering demand reduction when needed for reliability and financial incentives for the customer.
- Discussion of the support for allowing utilities to earn the same level of incentives that have been provided to encourage the development of new generation and have those incentives support demand curtailment that can be verified for their service territory, whether achieved by a CSP program or a utility program.

IV. WITNESSES

CPLN has examined the utility's filings and supporting testimony and has determined that there are potential issues that would be worthy of further discussion. It is currently expected that we may call our following expert witness from ConsumerPowerline without being limited thereto:

- ① **Mr. Nicholas Planson, Vice President of Market Development**

V. CONCLUSION

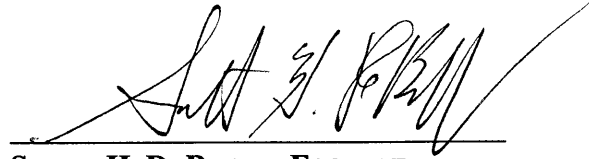
CPLN reserves the right to call additional witnesses or delete witnesses listed above. The above listing is provided without the benefit of complete discovery, or analysis of the positions of all parties to this proceeding. Prepared direct testimony included in our Petition to Intervene and Initial Comments pleading and brief additional live direct testimony may be submitted by our CPLN witness.

In addition to the direct testimony and exhibits presented by CPLN witnesses and the evidence adduced through cross-examination of the Company and other parties, CPLN intends to rely upon the Company's filing, answers to data requests and interrogatories, annual reports and other documents submitted to the Commission, other relevant Commission filings, general financial market information sources and other public documents and reports.

Respectfully submitted,

Dated: **January 2, 2008**

By:

A handwritten signature in black ink, appearing to read "Scott H. DeBroff", written over a horizontal line.

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CERTIFICATE OF SERVICE

I hereby certify that I served the foregoing **“Prehearing Memo of ConsumerPowerline”**

upon the following by email:

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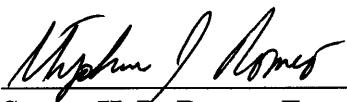
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Dated: **January 2, 2008**

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